

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 17, 2005 PLANNING COMMISSION MEETING

PROJECT #: Annexation #05012
Change of Zone #05055

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: Annex approximately 73.88 acres and change the zoning from AG, Agricultural to I-3, Employment Center District

LOCATION: NW 56th St. and West "O" St.

LAND AREA: 73.88 acres, more or less

CONCLUSION: This project is in compliance with the City's annexation policy, and Comprehensive Plan. The land use plan and the Airport West Subarea Plan identify this area as industrial.

<u>RECOMMENDATION:</u>
Annexation
Change of Zone

Annexation	Approval subject to a signed annexation agreement
Change of Zone	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 24 I. T., located in the Southeast 1/4 of Section 24, Township 10 North, Range 5 East; Lancaster County, NE

EXISTING ZONING: AG, Agricultural

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	AG	Interstate 80 and agricultural north of the interstate
South:	AG	Agriculture
	H-3	Highway Commercial
East:	H-4	Commercial/Undeveloped
West:	AG	Agriculture

ASSOCIATED APPLICATIONS:

Use Permit #05007

HISTORY:

November 19, 2001 Annexation #01003 to annex approximately 9 acres southwest of NW 56th St. and West "O" Street and Change of Zone #3314 from AG to H-3 was approved by the City Council.

February 22, 1999 Annexation #98016 to annex approximately 162.7 acres along West "O" St. from approximately NW 40th St. to west of NW 56th St. was approved by the City Council.

February 6, 1996 Change of Zone #2965 from AG to H-4 on property northwest of NW 56th St. and West "O" St. was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth. (F-17)

This area is within the Capitol View Corridor (F-19a)

The 2025 Comprehensive Plan Land Use Plan identifies this area as industrial. (F-23)

This area is within Tier 1, Priority A.

Priority A of Tier 1:

Areas designated for near term development are generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.(F-29)

The Plan foresees the demand for nearly 2,400 acres of additional industrial property over the planning period. The expressed desire has been to seek locations for future industries on land outside the 100 year floodplain-areas that have traditionally been sites for such use. (F-37)

Annexation Policy

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services shall coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary water services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer, or other potential City services.

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

The character of existing residential areas should be respected as much as possible during the annexation process. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County. (F-154-155)

UTILITIES:

- A. **Sanitary Sewer:** Wastewater service to this property requires completion of two phases of pipeline construction. Phase 1 extends the trunk sewer from SW 40th St. and BNSF Yards to near NW 52nd St. and I-80. The first phase contract has been awarded. Phase 2 is to extend the trunk sewer northwest to about NW 58th St. and West “O” St. The estimated completion date of the second phase is September 2006 assuming favorable construction conditions. Both of these projects are shown in the proposed FY 2005-2011 Capital Improvement Program.
- B. **Water:** There is an existing 16" water main along West “O” St. east of NW 56th St. There is a 12" water main providing service to the adjacent property. The developer will be required to extend the 12" main to serve this property. The proposed FY 2005-2011 Capital Improvement Program shows a project to extend the 16" main along West “O” St. to approximately the west property line of this development. The project has two phases, the first phase of construction to Westview Circle is estimated to be completed in October 2006. The second phase would extend the 16" water main to the west end of

the plat and is estimated to be completed in 2007. Both project schedules assume favorable construction conditions. Prior to the final platting of Redfield Drive, the 16" water main must be extended to the west end of the plat in order to provide fire protection.

- C. **Roads:** The roads within the development shall be local commercial streets. The State has a project to realign West "O" St to the north to accommodate future widening and other improvements. This project will impact a portion of this development. The project is estimated to begin construction in 2011-2012.

TRAFFIC ANALYSIS:

NW 56th St. is classified as a minor arterial. The 2025 Comprehensive Plan identifies NW 56th as a proposed project for two lanes plus center turn lane.

West "O" St. is classified as principal arterial. The Nebraska Department of Roads is currently working on a project to realign and widen Highway 6/ West "O" Street. The project is estimated to begin construction in 2011-2012.

PUBLIC SERVICE: The nearest fire station is Station 11 located at 3401 W. Luke St. within the Air Park West Industrial park.

ANALYSIS:

1. This is an application to annex approximately 73.88 acres and to change the zoning from AG-Agricultural to I-3, Employment Center District. Associated with this application is a Use Permit.
2. The proposed development is outside the city limits, but is within the future service limits as shown in the 2025 Comprehensive Plan.
3. This area is designated as Tier I, Priority A in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority A of Tier I as areas designated for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place.
4. The proposed industrial development is compatible with adjacent land use and is in conformance with the 2025 Comprehensive Plan. There is commercial development to the east and southeast.

5. The 2025 Comprehensive Plan and the Airport West Subarea Plan identify this area as industrial.
6. City services, water and wastewater, to serve this development is estimated to be in place by October 2006 (16" water main in West O Street to the west extent of development is estimated to be built in 2007).
7. The annexation agreement must include provisions acceptable to the City of Lincoln for intersection improvements on West O Street at Redfield Drive and Westview Circle, and for the temporary installation of improvements to accommodate fire protection capacity and sewage handling in the event the 16" water main and trunk sewer projects are not constructed when buildings are to be occupied.
8. Annexation policy:
 - ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
 - ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.
 - ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."
9. This project is in compliance with the City's annexation policy.

Prepared by:

Tom Cajka
Planner

DATE: July 29, 2005

APPLICANT/

OWNER:

Richard Evnen
PFS Property
2005 'M' St.
Lincoln, NE 68510

CONTACT:

Mark Palmer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474-6311

F:\FILES\PLANNING\PC\CZ\05000\CZ05055 Westview.tjc.wpd

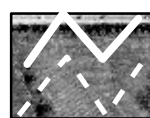


Change of Zone #05055 **Annexation #05012** **NW 56th & W. 'O' St.** **Westview Addition** **Zoning:**

2005 aerial

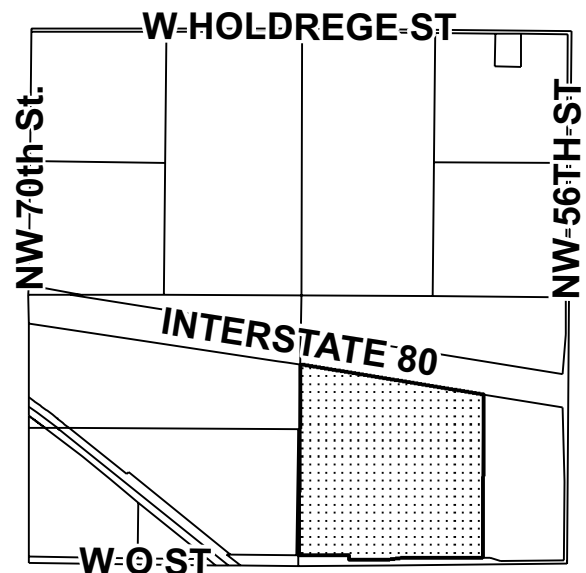
One Square Mile
 Sec. 24 T10N R5E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



Zoning Jurisdiction Lines

City Limit Jurisdiction



CHANGE OF ZONE AND ANNEXATION LEGAL DESCRIPTION

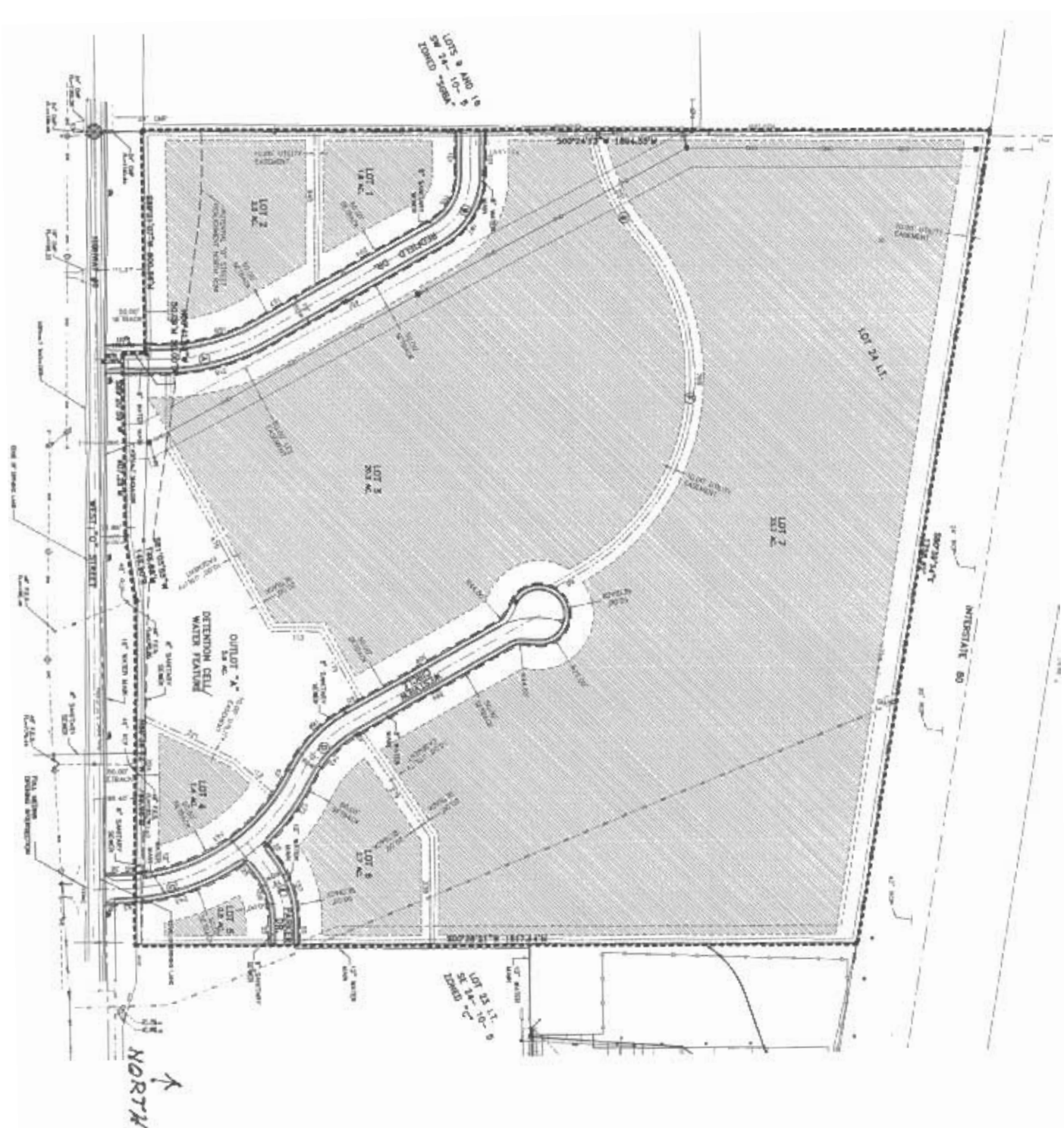
A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 24 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 24 MINUTES 13 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 110.18 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 24 MINUTES 13 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 24 I.T., SAID LINE BEING THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,894.35 FEET TO THE NORTHWEST CORNER OF SAID LOT 24 I.T.; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 17,013.70 FEET, A DELTA ANGLE OF 00 DEGREES 18 MINUTES 00 SECONDS, AN ARC LENGTH OF 89.05 FEET, A CHORD BEARING OF SOUTH 80 DEGREES 49 MINUTES 50 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 24 I.T., SAID LINE BEING THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 80 AS DESCRIBED IN INST. NO. 96-6124, RECORDS OF LANCASTER COUNTY, AND A CHORD LENGTH OF 89.05 FEET TO A NORTH CORNER OF SAID LOT 24 I.T.; THENCE SOUTH 80 DEGREES 39 MINUTES 34 SECONDS EAST, ALONG SAID NORTH LINE AND THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 80, A DISTANCE OF 1,758.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 24 I.T., SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 23 I.T.; THENCE SOUTH 00 DEGREES 28 MINUTES 21 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 24 I.T., SAID LINE ALSO BEING THE EAST LINE OF LOT 23 I.T., A DISTANCE OF 1,617.14 FEET TO THE SOUTHEAST CORNER OF SAID LOT 24 I.T., SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 23 I.T., SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY 6; THENCE NORTH 89 DEGREES 36 MINUTES 12 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 24 I.T., AND THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY 6, A DISTANCE OF 769.95 FEET TO A SOUTH CORNER OF SAID LOT 24 I.T.; THENCE SOUTH 81 DEGREES 05 MINUTES 55 SECONDS WEST, ALONG SAID SOUTH LINE AND THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY 6, A DISTANCE OF 146.88 FEET TO A SOUTH CORNER OF SAID LOT 24 I.T.; THENCE SOUTH 89 DEGREES 20 MINUTES 59 SECONDS WEST, ALONG SAID SOUTH LINE AND THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY 6, A DISTANCE OF 407.26 FEET TO A SOUTH CORNER OF SAID LOT 24 I.T.; THENCE NORTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 24 I.T. AND THE RIGHT-OF-WAY LINE OF HIGHWAY 6, A DISTANCE OF 50.09 FEET TO A SOUTH CORNER OF SAID LOT 24 I.T.; THENCE SOUTH 89 DEGREES 21 MINUTES 07 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 24 I.T. AND THE

NORTH RIGHT-OF-WAY LINE OF HIGHWAY 6, A DISTANCE OF 500.36 FEET TO THE POINT OF BEGINNING.

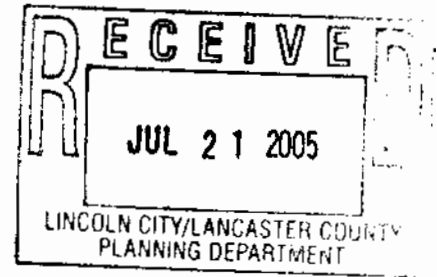
SAID TRACT CONTAINS A CALCULATED AREA OF 3,218,033.38 SQUARE FEET OR 73.88 ACRES, MORE OR LESS.

F:\Projects\20040855\doc\LGL_LinePoultry.doc





OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS



July 21, 2005

Mr. Marvin Krout
Planning Department, City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Westview Addition Use Permit
Project No. 2004-0855

Dear Mr. Krout:

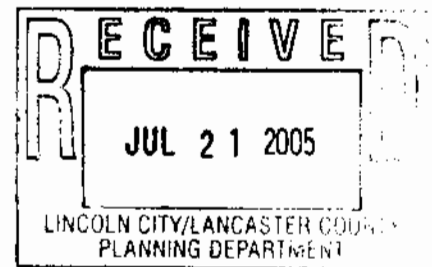
Enclosed please find the following for the above-mentioned project:

1. Site Plan - 21 copies.
2. Drainage and Grading Plans - 9 copies.
3. Street Profile Plans - 5 copies.
4. Change of Zone & Annexation Applications
5. Change of Zone & Annexation Exhibits - 3 copies
6. Soils Report - 1 copy.
7. Drainage Study - 3 copies.
8. Use Permit and Zoning submittal Fee
9. Ownership certificate

On behalf of the Owner / Developer, Pfs LLC, 2005 M Street, Lincoln NE 68510, we are submitting the Lincoln Poultry Center Use Permit. We are also requesting annexation and change of zone. We expect to be scheduled on the Planning Commission Agenda for the 17th of August.

We have met with staff on numerous occasions to review the proposed site plan, gain preliminary comments, and discuss the annexation of this property. The site plan has been revised to address the concerns discussed at our meetings.

The following waivers are being requested for the above-mentioned project. The justification for each waiver is listed below:



1. A waiver to the Lincoln Municipal Code (Section 27.69.0) to allow block sizes in excess of 1,320 feet.

The nature of this development and the location adjacent to Interstate 80 require a block length waiver.

2. A waiver to the Lincoln Municipal Code (Section 27.69.081 (d)) to allow on-premises ground signs for each freestanding pad site building to be located more than 30' from the buildings and within the front yard setbacks, provided that they are located at least 20' from right-of-way.

The size of the lots allows buildings to set back a long distance from the streets. With the requirement for a sign to be within 30' of the building, sign visibility would be poor.

3. The comprehensive plan calls out for 200' right-of-way along "O" Street in this area (100' each side). This development will dedicate 60' out of that 100'.

We have also submitted a base map AutoCad file and PDF files of each plan sheet to Logan Christy.

Please contact Mark Palmer if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Don R. Day".

Don R. Day, PE

Encls

cc Richard Evnen
Don Wesley
Jennifer Strand

DWG: F:\Projects\20040855\Landplan\Prelim\dwg\exhibits\Change of Zone.dwg
DATE: Jul 21, 2005 7:31am
XREFS: USER: z\outerbach



- CORNER FOUND
 △ SECTION CORNER FOUND
 M MEASURED DISTANCE
 R RECORDED DISTANCE

DATE: 07/21/05



OLSSON ASSOCIATES
ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS
2120 E. 72ND ST., RM. 1400 - OMAHA, NEBRASKA 68124
402-341-1116 - FAX 402-341-8885

EXHIBIT